

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENNETH WRIGHT, on his own behalf and
on behalf of other similarly situated persons,

Plaintiff,

v.

LYFT, INC., a Delaware Corporation,

Defendants.

Case No. 2:14-cv-00421-BJR


**AMENDED ORDER GRANTING
STIPULATED MOTION TO CERTIFY
QUESTIONS TO THE WASHINGTON
SUPREME COURT**

This matter came before the Court on the Stipulated Motion to Certify Questions to the Washington Supreme Court. Having considered the motion, the papers filed in support of the motion, and the files and records herein, the Stipulated Motion to Certify Questions to the Washington Supreme Court is GRANTED and the following issues are hereby certified to the Washington Supreme Court under RCW 2.60.020:

1. Does the recipient of a text message that violates the Consumer Electronic Mail Act, Ch. 19.190 RCW (“CEMA”), have a private right of action for damages (as opposed to injunctive relief) directly under that statute?

The Clerk of the Court is directed to submit to the Supreme Court of Washington certified copies of this Order, a copy of the docket in the above-captioned matter, and Dkt. Nos. 54, 56-60, 63, 65, and 71. The record so compiled contains all matters in the pending cause deemed material for consideration of the state law questions certified for answer.

The case will remain STAYED until the Supreme Court of Washington answers the certified questions.


Barbara Jacobs Rothstein
U.S. District Court Judge

Presented by:

/s/ Donald W. Heyrich
Donald W. Heyrich, WSBA #23091

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on the 9th day of February, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel on record in the matter.

/s/ Donald W. Heyrich
Donald W. Heyrich, WSBA #23091

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